



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

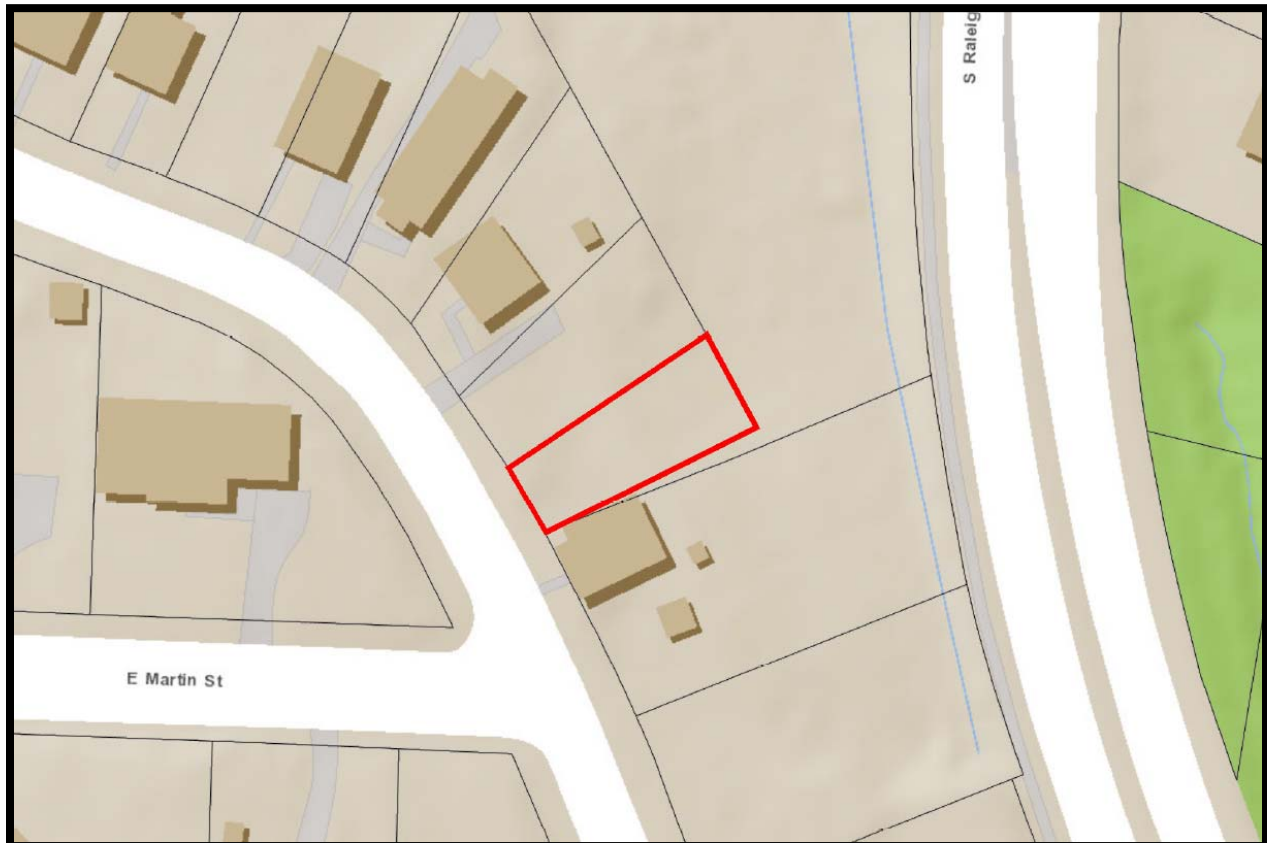
Case File: A-69-17

Property Address: 0 Battery Drive (Real Estate ID 0036257)

Property Owner: CJ Properties and Investments

Project Contact: Tony Patterson

Nature of Case: A request for a. a 4.8' side setback variance , a 2.4' side setback variance, a 7.2' sum of side setbacks variance, and a 2.7' rear setback variance to allow for the construction of a detached house as well as a 4.1' rear setback encroachment variance pursuant to section 1.5.4.D. that results in both a 5.2' and 7.6' side yard setback, a 12.8 sum of side setbacks, a 27.3' rear setback and a 17.9' rear setback for the proposed deck on a .08 acre parcel zoned Residential-4 and located at 0 Battery Drive (Real Estate ID: 0036257).

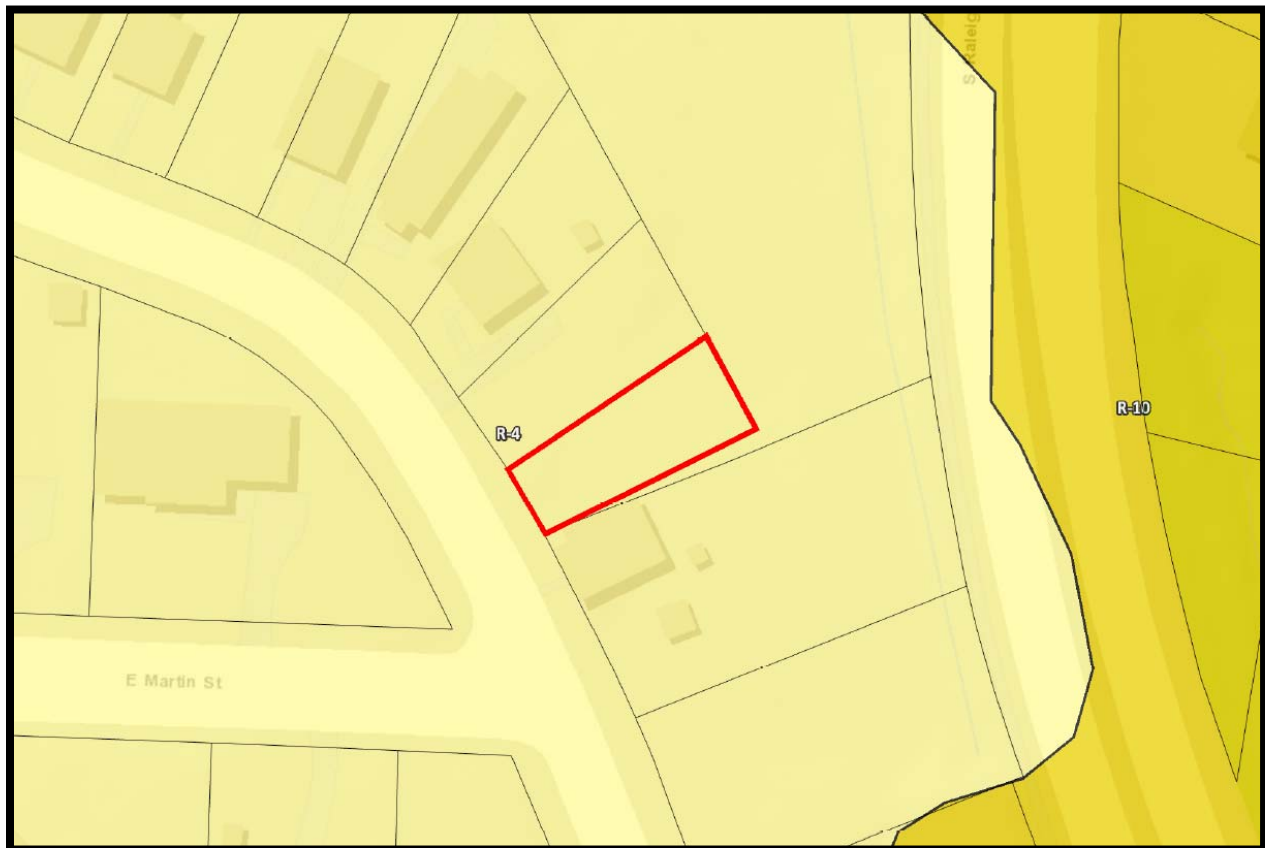


0 Battery Drive (Real Estate ID 0036257) – Location Map

To BOA: 5-8-17

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-4



0 Battery Drive (Real Estate ID 0036257) – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from

personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-4

Lot Dimensions

Area (min)	10,000 SF
Width – interior lot (min)	65
Width – corner lot (min)	80'
Depth -	100;'

<u>Yard Type</u>	<u>Minimum Setback</u>
Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'

Section 1.5.4.D.1.i. Setback Encroachments – Building Features

Unenclosed patios, decks or terraces may extend up to 4 feet into a required side setback, or up to 8 feet into a required rear setback, provided that such extension is at least 5 feet from the vertical plane of any lot line.

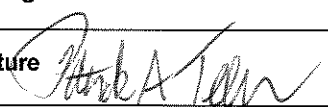
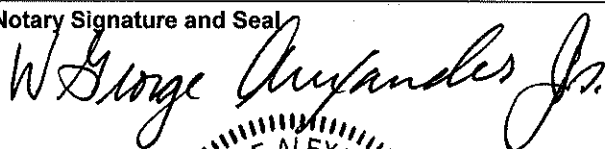
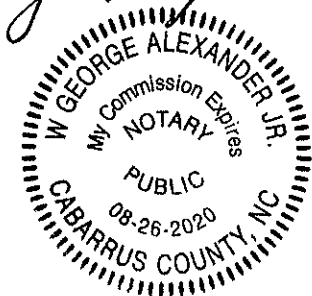
Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (if more space is needed, submit addendum on separate sheet): SEE ATTACHED ADDENDUM. Request a variance of 4.8' for required side setback, for the setback to be allowable to be 5.2' from property line on the SW property line (or right side property line). Request a variance of 2.4' for required side setback, for the setback to be allowable to be 7.6' from the NE property line (or left side property line). Request a variance of 2.7' for the required rear</p> <p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p> <p>none</p>	<p>Transaction Number</p> <p>A-69-17</p>

GENERAL INFORMATION		
Property Address 0 Battery Drive (Real Estate ID: 0036257) LOT 281		Date 3/6/2017
Property PIN 1713472771	Current Zoning R-4	
Nearest Intersection Battery Drive and E Martin Street		Property size (in acres) 0.08
Property Owner CJ PROPERTIES AND INVESTMENTS	Phone 919-740-8722	Fax none
Owner's Mailing Address 208 W Millbrook Road, Raleigh,		Email patrick@cjpropertiesnc.com
Project Contact Person Tony Patterson	Phone 919-842-8191	Fax 919-882-0919
Contact Person's Mailing Address 1502 Goldsboro Ave, Sar		Email tony@pattersonbuilt.com
Property Owner Signature 	Email patrick@cjpropertiesnc.com	
Notary Sworn and subscribed before me this <u>7th</u> day of <u>April</u> , 20 <u>17</u> Expires 8-26-2020	Notary Signature and Seal  	



April 7, 2017

Subject: Addendum for Variance Application Nature of Request

Property: 0 Battery Drive (Real Estate ID: 036257) LOT 281

Property PIN: 1713472771

Nature Of Variance Request:

Request a Variance of 4.8' for required side setback, for the setback to be allowable to be 5.2' from property line on the SW property line (or right side property line). Request a variance of 2.4' for required side setback, for the setback to be allowable to be 7.6' from the NE property line (or left side property line). Request a variance of 2.7' for the required rear setback, for the setback to be allowable to be 27.3' from the SE property line (or rear property line), as well as a variance of 4.1' for allowable deck encroachment to rear property line to allow the deck encroachment allowable to be extended 12.1' past required rear setback per R-4 in lieu of extended 8' past required rear setback. The deck would be 17.6' from rear property line. In lieu of an encroachment variance, a request for variance of 12.4' for the required rear setback, for the setback to be allowable to be 17.6' from the SE property line (or rear property line) would satisfy the condition needed to allow the deck to be constructed per the plans.

Thank you for your consideration on this variance request.

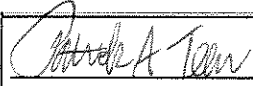
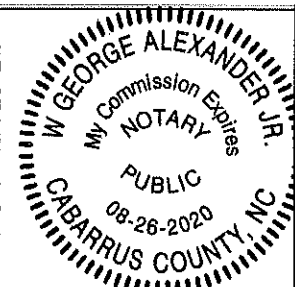
Sincerely,

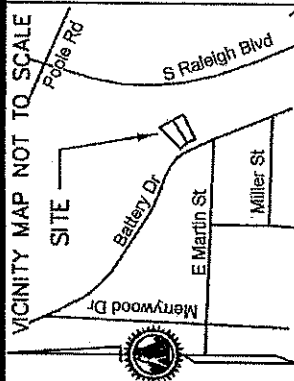
Patrick Teen- Owner

CJ Properties and Investments LLC.

919-740-8722

Patrick@cjpropertiesnc.com

 (SEAL)	State of <u>North Carolina</u> County of <u>Wake</u> Signed and sworn to (or affirmed) before me this day by <u>Patrick Albert Teen</u> (Insert name(s) of principal(s)). Date: <u>4-7-2017</u> <u>W. George Alexander Jr.</u> Notary Public My Commission Expires: <u>8-26-2020</u>	(Affix Official Notarial Seal) 
By: <u>PATRICK A. TEEN</u> Printed or Typed Name/Title: <u>OWNER</u>		
By: _____ Printed or Typed Name/Title: _____		



- LEGEND OF NOMENCLATURE**
- EP EXISTING IRON PIPE
 - LOT NUMBER
 - STREET ADDRESS
 - POLE
 - SANITARY MANHOLE

FG= FLUSH WITH GRADE
 BG= BELOW GRADE
 AG= ABOVE GRADE
 PT= PINCHED TOP

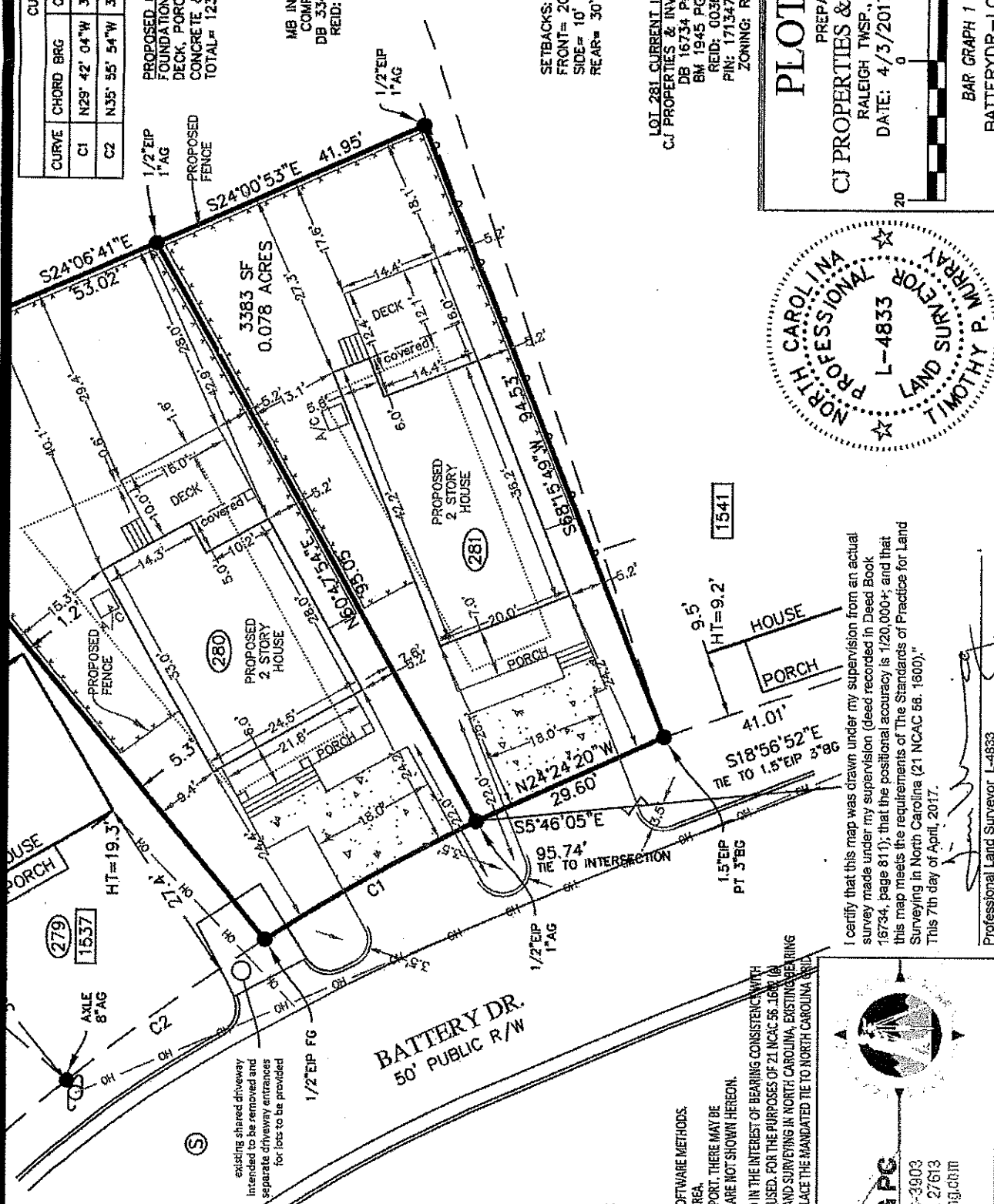
- BOUNDARY
- ADJOINER OR R/W
- OVERHEAD UTILITY
- SETBACKS
- PROPOSED CONCRETE

*ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CITY OF RALEIGH AND/OR NCDOT STANDARDS.

- NOTES:**
- 1-ALL DISTANCES ARE HORIZONTAL GROUND IN USFT.
 - 2-METHOD OF COMPUTATION: AREA IS CALCULATED WITH CAD SOFTWARE METHODS.
 - 3-THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
 - 4-SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THERE MAY BE EASEMENTS OR ENCUMBRANCES AFFECTING THE PROPERTY THAT ARE NOT SHOWN HEREON.
 - 5-THIS PROPERTY IS IN A PREVIOUSLY RECORDED SUBDIVISION AND IN THE INTEREST OF BEARING CONSISTENCY WITH PREVIOUSLY RECORDED PLATS, EXISTING BEARING CONTROL WAS USED. FOR THE PURPOSES OF 21 NCAC 55.100 (a) SURVEYING PROCEDURES OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, EXISTING BEARING CONTROL AND TIES TO APPROPRIATE NATURAL MONUMENTS REPLACE THE MANDATED TIE TO NORTH CAROLINA GRID.

TERRESTRIAL SURVEYING PC

Professional Land Surveying / License C-3903
 3813 Woodrow Drive / Raleigh, North Carolina 27613
 p. 919.219.4278 / e. info@terrestrialsurveying.com



PLOT

PREPARED BY
 CJ PROPERTIES &
 RALEIGH TWSF.,
 DATE: 4/3/2017

LOT 281 CURRENTLY
 CJ PROPERTIES & INV
 DB 16734 PL
 BM 1945 PG
 REID: 0036
 PIN: 171347
 ZONING: R

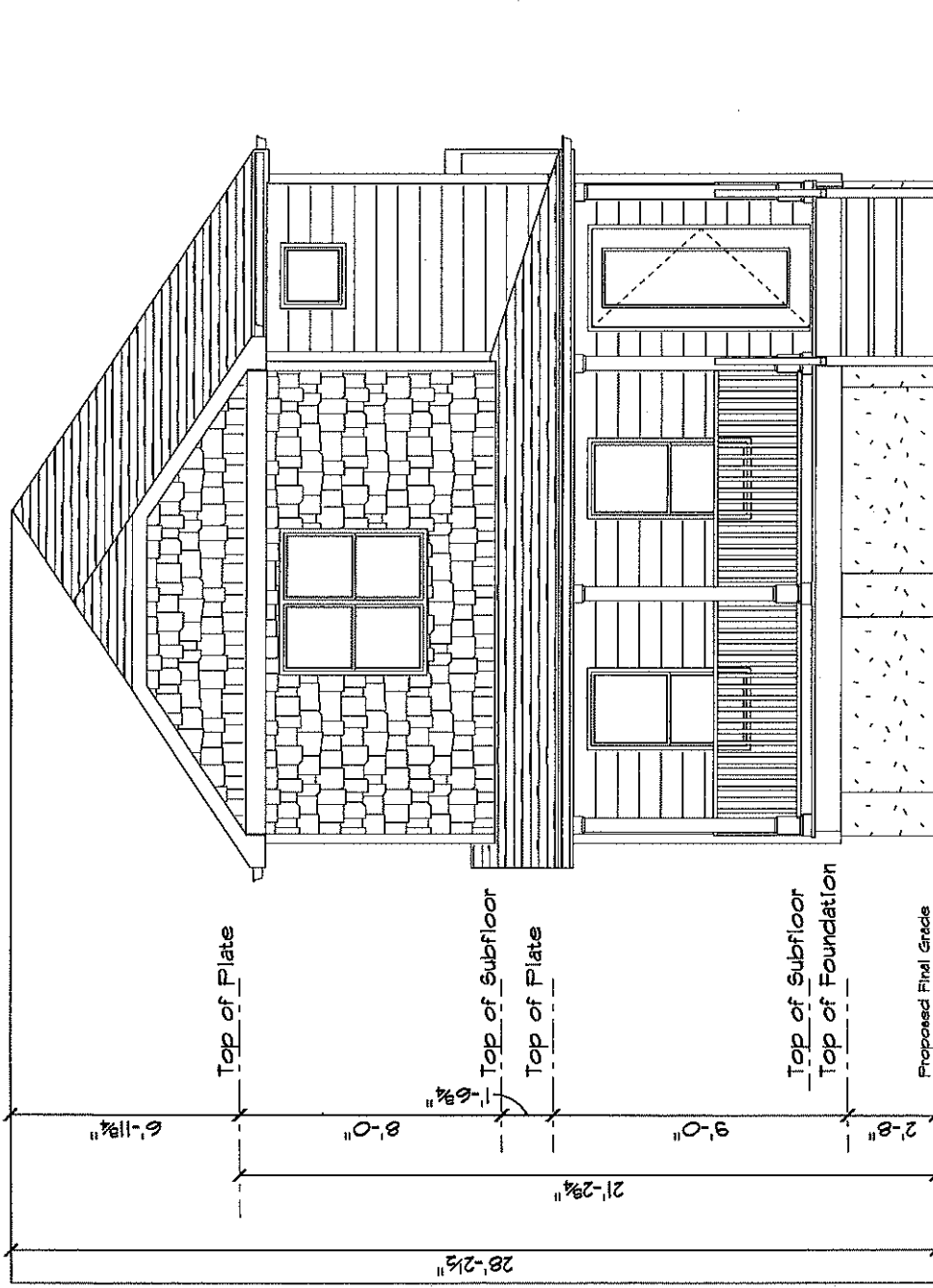
PROFESSIONAL LAND SURVEYOR

L-4833

TIMOTHY P. MURRAY

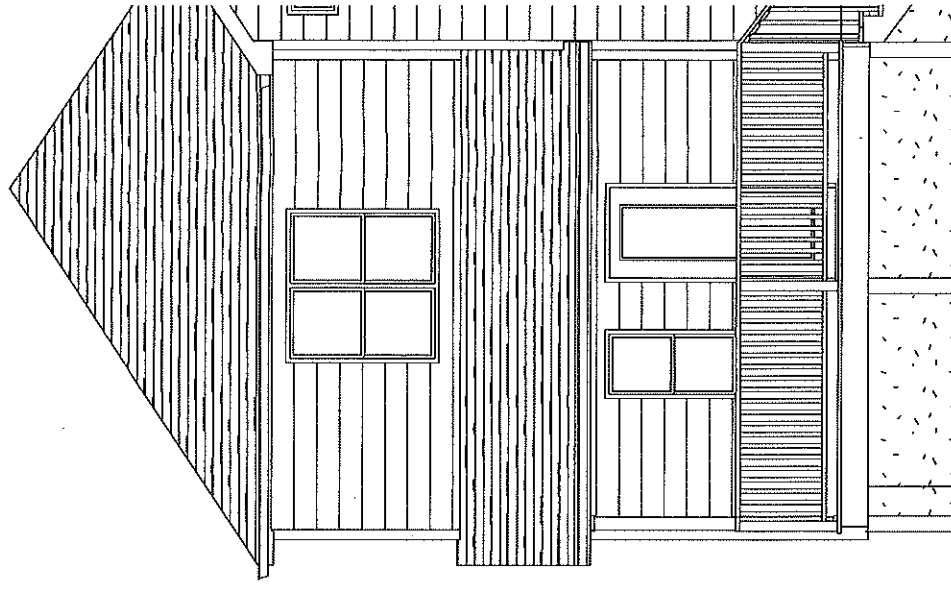
I certify that this map was drawn under my supervision from an actual survey made under my supervision (deed recorded in Deed Book 15734, page 811); that the positional accuracy is 1/20,000+; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 58.1000).
 This 7th day of April, 2017.

Professional Land Surveyor L-4833



Bailey Front Elevation

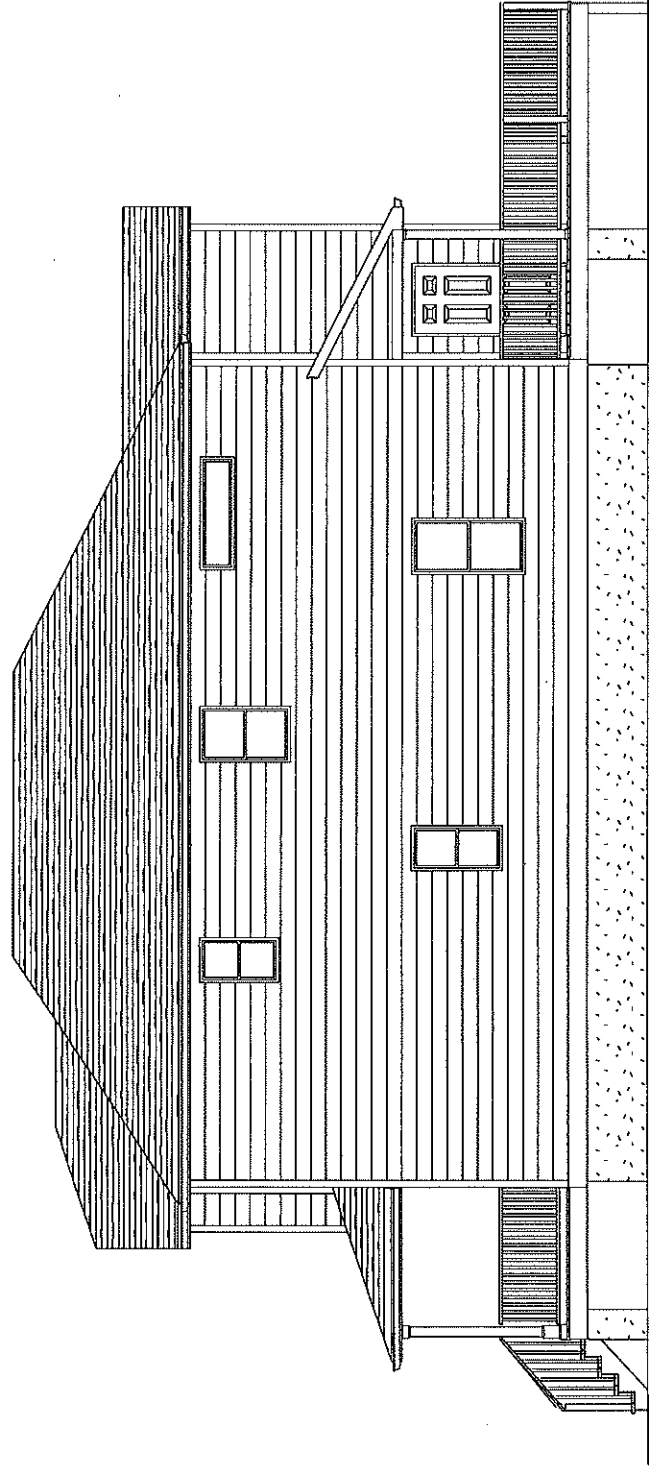
SCALE: 3/16" = 1'-0"



Bailey Rear Elevation

SCALE: 3/16" = 1'-0"

Lot 281 Robert E. Monroe Trustee Prec
 Recorded Site Address: O Battery D
 Proposed Site Address: TBD
 P.I.N.: 1713472771
 Real Estate ID: 0036257



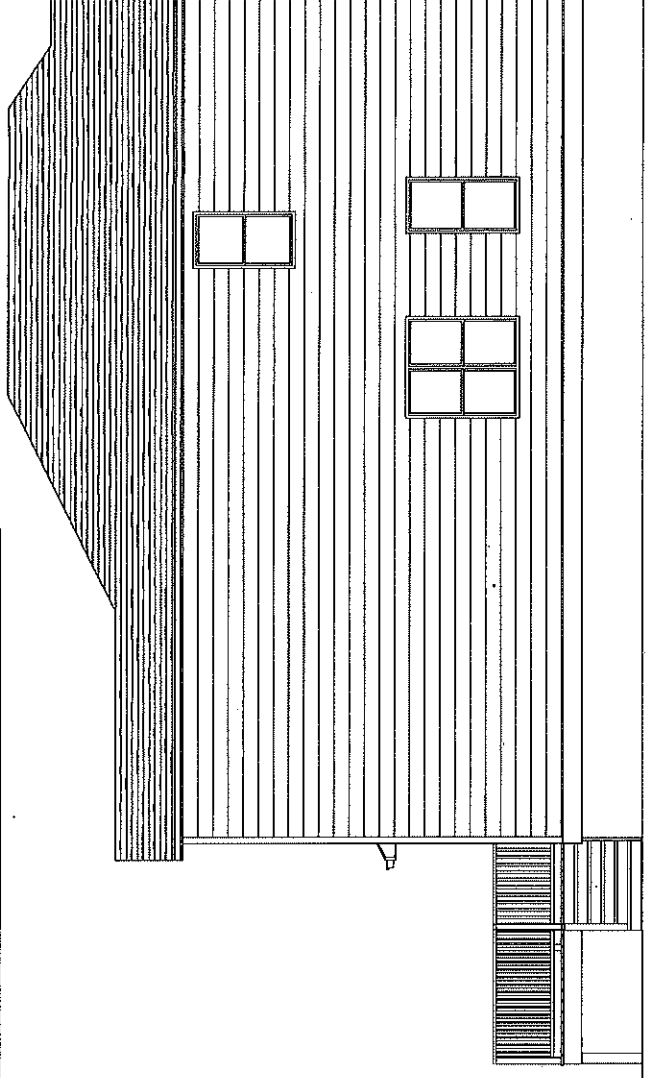
Bailey Right Elevation

SCALE: 1/8" = 1'-0"

Lot 281 Robert E. Monroe Trust
 Recorded Site Address: 0 B2
 Proposed Site Address: TBD
 P.I.N.: 171347271
 Real Estate ID: 0036257

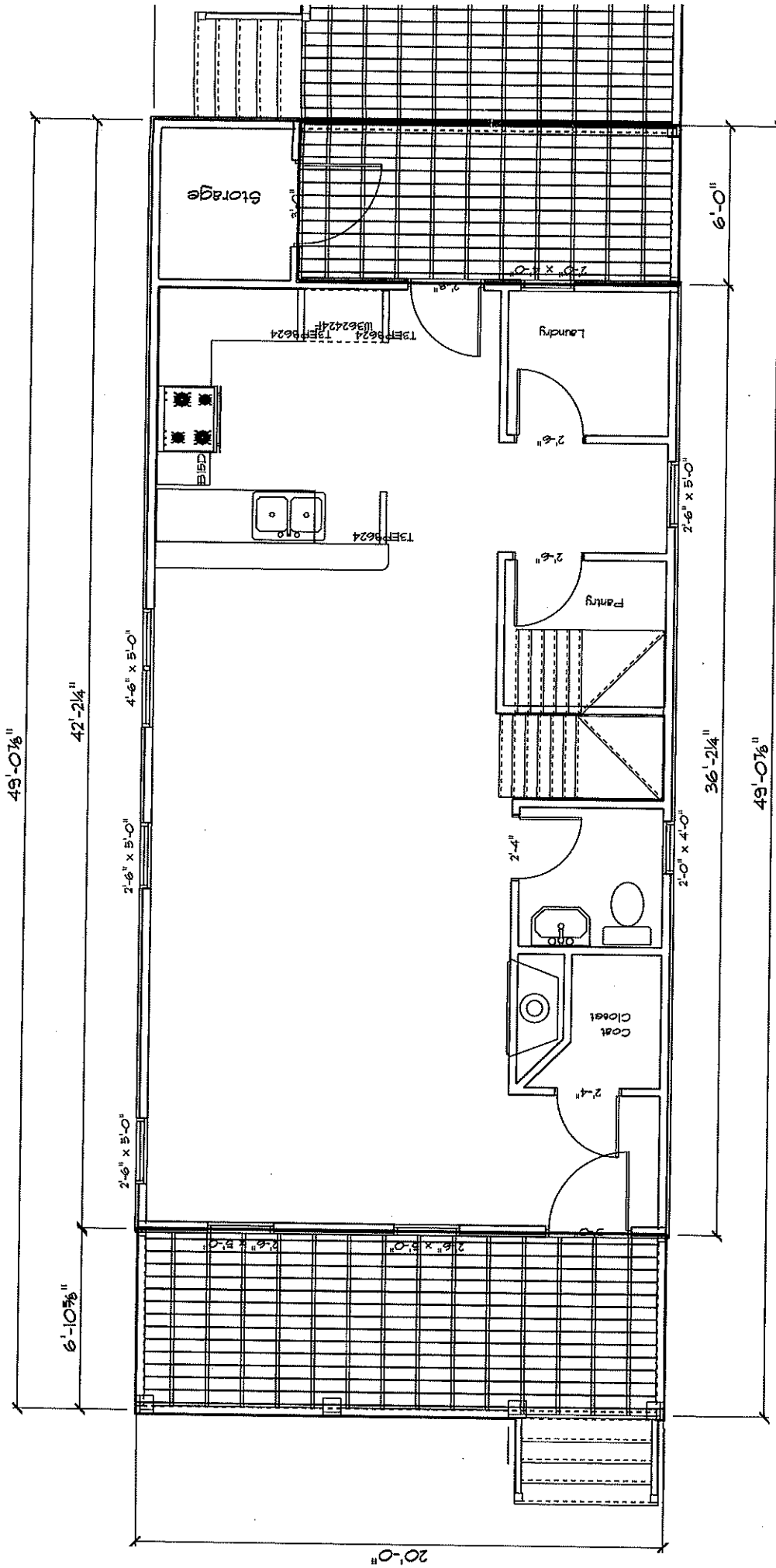
LOT DATA

SCALE: 1/4" = 1'-0"



Bailey Left Elevation

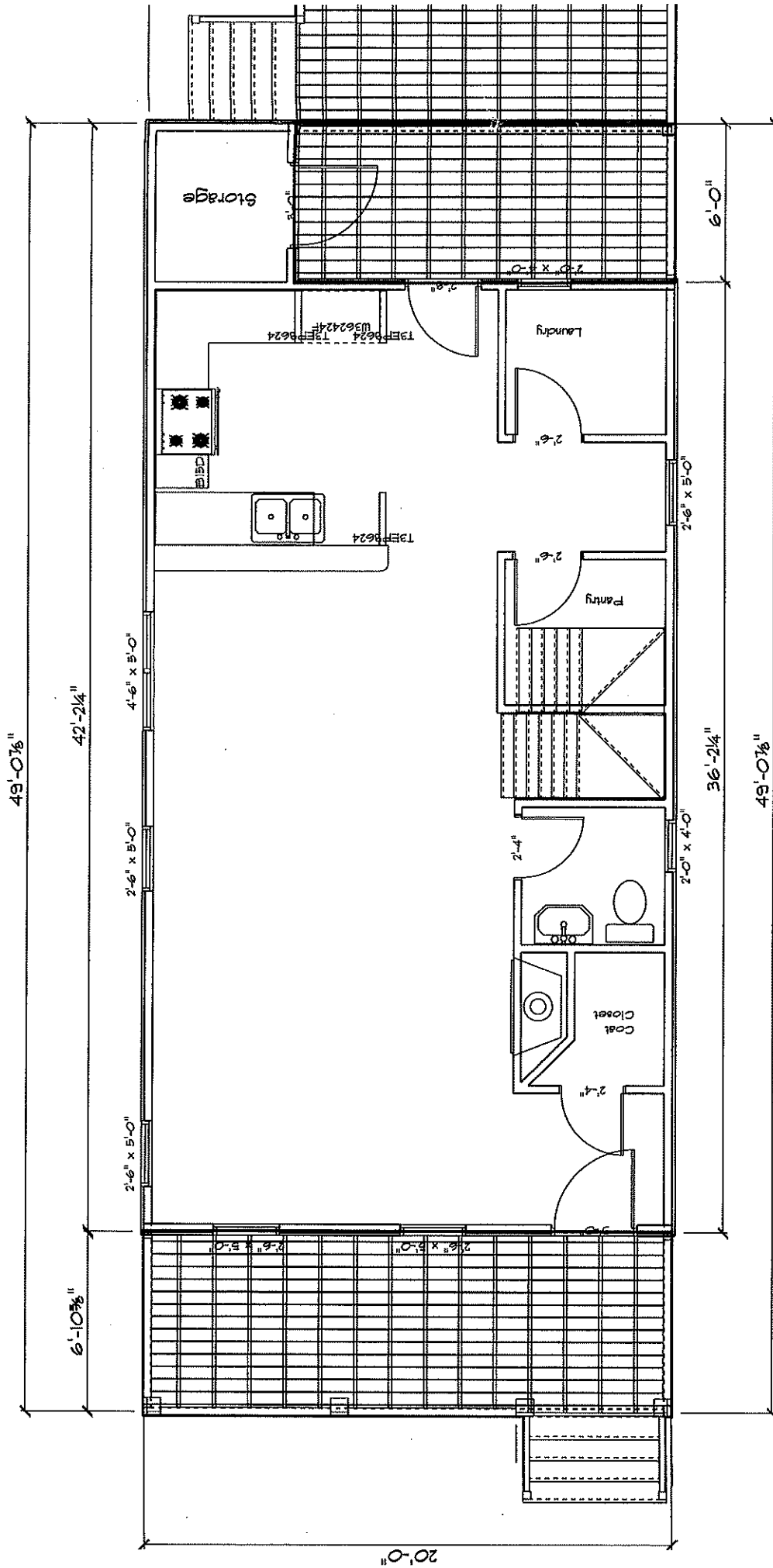
SCALE: 1/8" = 1'-0"



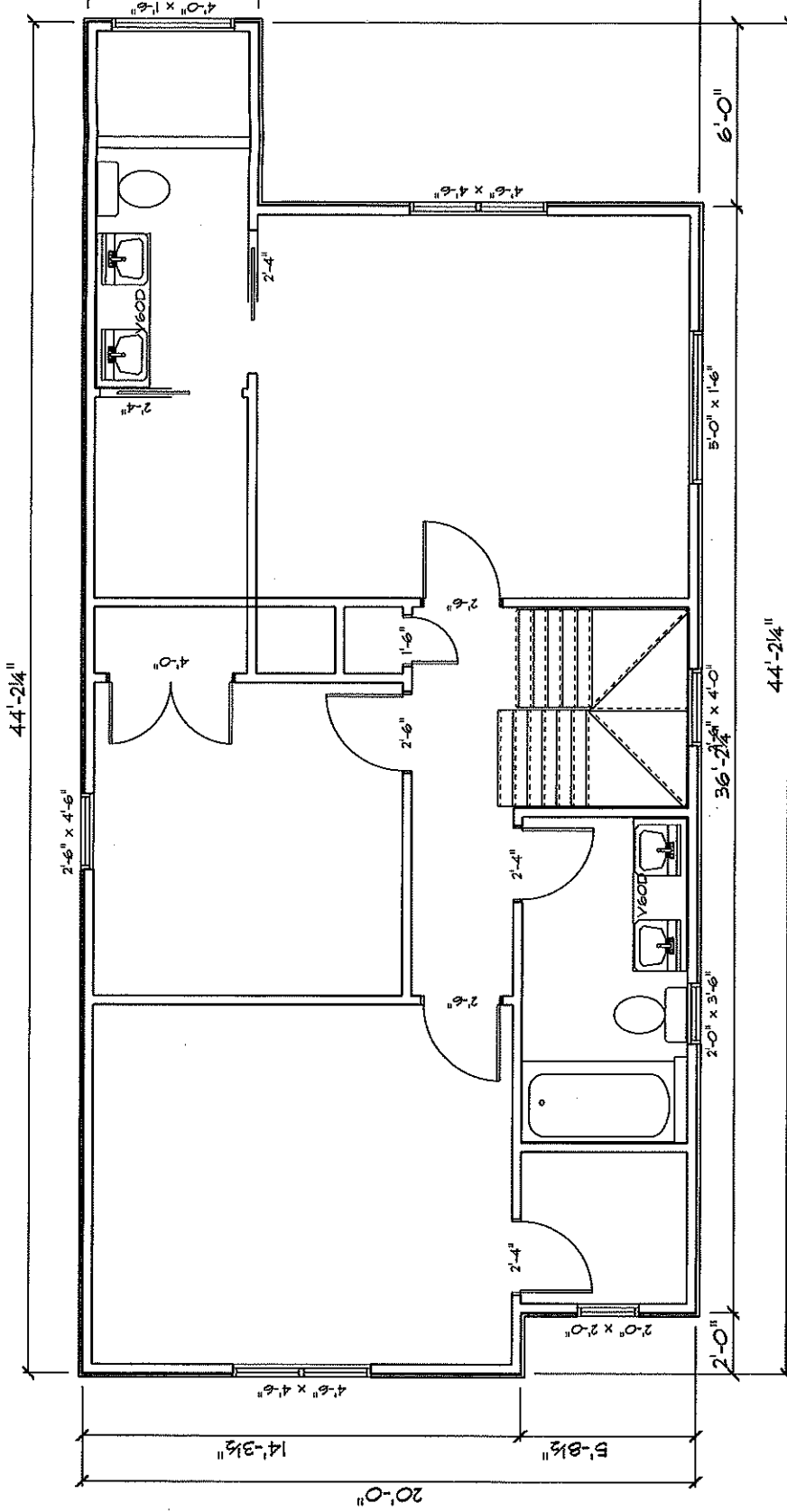
Bailey Floor 1

SCALE: 3/16" = 1'-0"

Lot 281 Robert E. Monroe Trustee Pro
Recorded Site Address: O Battery Dr
Proposed Site Address: TBD
P.I.N.: 1713472711
Real Estate ID: 0036257



Lot 281 Robert E. Monroe Trustee Pr
Recorded Site Address: O Battery D
Proposed Site Address: TBD
P.I.N.: 1713472711
Real Estate ID: 0036257



Bailey Floor 2

SCALE: 3/16" = 1'-0"

Lot 281 Robert E. Monroe Trustee P
 Recorded Site Address: O Battery
 Proposed Site Address: TBD
 P.L.N.: 171347271
 Real Estate ID: 0036257

[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)Real Estate ID **0036257**PIN # **1713472771**
**WAKE
COUNTY**
Location Address
0 BATTERY DRProperty Description
**LO281 ROBERT E. MONROE TRUSTEE
PROPERTY/UNRECORDED SURVY**Account
Search

[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner CJ PROPERTIES & INVESTMENTS LLC (Use the Deeds link to view any additional owners)		Owner's Mailing Address 208 W MILLBROOK RD RALEIGH NC 27609-4304	Property Location Address 0 BATTERY DR RALEIGH NC 27610-2625
Administrative Data Old Map # B004-- Map/Scale 1713 06 VCS 01RA568 City RALEIGH Fire District Township RALEIGH Land Class VACANT ETJ RA Spec Dist(s) Zoning R-4 History ID 1 History ID 2 Acreage .08 Permit Date Permit #		Transfer Information Deed Date 3/28/2017 Book & Page 16734 0811 Revenue Stamps 200.00 Pkg Sale Date Pkg Sale Price Land Sale Date 3/28/2017 Land Sale Price \$50,000 Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area	Assessed Value Land Value Assessed \$30,000 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$30,000

*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

0 BATTERY DRIVE- RALEIGH, NC**Real Estate ID: 0036257****PIN#: 1713472771****ADJACENT PROPERTY INFORMATION (WITHIN 100' OF PROPERTY)**

PROPERTY ADDRESS	OWNER NAME	OWNER'S MAILING ADDRESS
1605 MILLER ST	MCMILLAN, MINNIE M	Minnie McMillan 1605 Miller Street, Raleigh, NC 27610-3346
1617 E MARTIN ST	SHEPHERD, DAVID SHEPHERD, LAURA	David and Laura Shepherd 1617 E Martin Street, Raleigh, NC 27610-2615
1533 BATTERY DR	COLEMAN, DANICA PEELE, MARY MARTIN	COLEMAN, DANICA PEELE, MARY MARTIN 1533 ½ Battery Drive Raleigh, NC 27610-2625
1609 MILLER ST	TALIAFERRO, VERNON RAY	Vernon Taliaferro 1609 Miller Street, Raleigh, NC 27610-3346
1537 BATTERY DR	WINBORNE, IAN C	Ian Winborne PO Box 1450 Oxford, NC 27565-1450
0 BATTERY DR	CJ PROPERTIES & INVESTMENTS LLC	CJ Properties and Investments LLC. 208 W Millbrook Rd, Raleigh, NC 27609-4304
0 BATTERY DR	CJ PROPERTIES & INVESTMENTS LLC	CJ Properties and Investments LLC. 208 W Millbrook Rd, Raleigh, NC 27609-4304
1535 BATTERY DR	MCGEE, BRANDON B MCGEE, ELIZABETH H	Brandon and Elizabeth McGee 2631 Saint Mary's Street Raleigh, NC 27609-7670
1543 BATTERY DR	REDFEARN, SANDRA	Sandra Redfearn- Joanne R Davis 2321 Foxtrot Road, Raleigh, NC 27610-5047
1541 BATTERY DR	LASSITER, LEROY HEIRS LASSITER, COLUMBUS HEIRS	Leroy Lassiter Heirs, Columbus Lassiter Heirs- John Redfearn 612 E Edenton Street, Raleigh, NC 27601-1130